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10 Attorney for Defendant Timbers Company, Inc.

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 12
 13 UNITED STATES DISTRICT COURT
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 ROBERT COHEN, an individual,

16 Plaintiff,

17 v.

18 TIMBERS COMPANY, INC., a Colorado
 19 corporation,

20 Defendant.

) Case No.: C 05 03680 EDL

)
)
)
) **STIPULATION AND (PROPOSED)**
) **ORDER RE: CASE MANAGEMENT**
) **CONFERENCE AND RELATED**
) **DATES**

)
)
) **Courtroom E, Magistrate Judge**
) **Elizabeth D. Laporte**

Complaint filed: 9/13/05

1 **WHEREAS**, Defendant Timbers Company, Inc. made a motion pursuant to FRCP
2 12(b)(2) to dismiss this matter for lack of personal jurisdiction; and

3 **WHEREAS**, after hearing oral argument, the Court took the motion under submission on
4 December 20, 2005; and

5 **WHEREAS**, at that time the Court continued the initial Case Management Conference
6 until February 21, 2006; and

7 **WHEREAS**, the Court has not yet issued a ruling on the motion, such that the case is not
8 yet at issue; and

9 **WHEREAS**, pursuant to FRCP 26(f), the initial disclosures, etc. pursuant to FRCP 26(f)
10 are required to be completed by January 31, 2006, and the parties are required to submit a written
11 report by February 7, 2006; and

12 **WHEREAS**, counsel for the parties believe it would be premature to undertake these
13 efforts until the Court has ruled on the motion,
14 the parties hereby agree and stipulate, subject to order of the Court, that the Case Management
15 Conference for February 21, 2006 be taken off calendar, and that it be rescheduled by the Court
16 after the Court rules on the motion to dismiss of defendant Timbers Company, Inc. that is
17 currently under submission.

18
19 Dated: January 27, 2006

NAGLER & ASSOCIATES

20
21 By: David F. Berry
22 David F. Berry

23 Attorneys for Plaintiff Robert Cohen

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01-27-06 03:30pm From-Lewis Brisbois Bisgaard & Smith LLP
 Jan-27-06 11:22am FROM-NAWLEKASSUC,

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T-623 P.002/002 F-853
 1-100 1-04704 1-110

1 Dated: January 27, 2006

LEWIS BRISBOIS BISGAARD & SMITH LLP

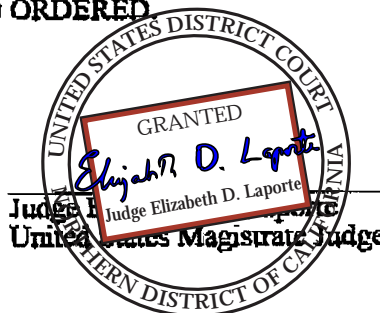
2
 3 By: Robert A. Ford
 4 Robert A. Ford

5 Attorneys for Defendant Timbers Company, Inc.

6
 7 ORDER

8
 9 PURSUANT TO STIPULATION, IT IS SO ORDERED.

10
 11 Dated: January 30, 2006



The case management conference is continued until March 7, 2006. Parties shall file a joint case management statement no later than February 28, 2006.

1 Dated: January ____, 2006

LEWIS BRISBOIS BISGAARD & SMITH LLP

3 By: _____

4 Robert A. Ford

5 Attorneys for Defendant Timbers Company, Inc.

7 **ORDER**

9 PURSUANT TO STIPULATION , IT IS SO ORDERED.

11 Dated:

13 Judge Elizabeth D. Laporte
14 United States Magistrate Judge

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PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 2300 South Sepulveda Blvd., Los Angeles, California, 90064.

On January 27, 2006, I served the foregoing document described as: **STIPULATION AND (PROPOSED) ORDER RE: CASE MANAGEMENT CONFERENCE AND RELATED DATES**, on all interested parties in this action by placing a true copy thereof enclosed in sealed envelope(s) addressed as follows:

Robert A. Ford, Esq.
David V. Roth, Esq.
Lewis Brisbois Bisgaard & Smith LLP
One Sansome Street, Suite 1400
San Francisco, CA 94104
email: roth@lbbslaw.com
email ford@ldbbs.com

Attorney for Defendants Timbers
Company, Inc.

Chambers Copy by Hand Delivery to:
Magistrate Judge Elizabeth D. Laporte
United States District Court, Northern District
450 Golden Gate Avenue
San Francisco, CA 94102-3483

- (x) **BY MAIL (1013a, 2015.5 C.C.P.):** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposition for mailing in affidavit.
- () **BY ELECTRONIC MAIL:** I caused the foregoing document to be served by electronically mailing a true and correct copy through Nagler & Associates' electronic mail system to the e-mail address(es) set forth above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 27, 2006 at Los Angeles, California.

Jacqueline Neal

PROOF OF SERVICE